REMARKS

Claims 1-48, 54, 61-63, and 65 have been previously cancelled. The claims pending in the application are 49-53, 55-60, 64, and 66-87.

Claims 49-53, 55-60, 64 and 66-87 are rejected. This rejection is traversed.

Claim Informalities

Claims 49, 52, 53, 55, 57-60, 64, and 87 have been amended to correct formatting informalities. No new matter has been added.

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
   - I. Claims 49-53, 55-60, 64 and 66-87 are drawn towards usage protection of distributed files, classified in class 705 subclass 51.
   - II. Claims 54 is drawn is drawn towards usage protection of distributed files, classified in class 705 subclass 51.
   - III. Claims 61-63 are drawn to a usage protection of distributed files, classified in class 705 subclass 51.
   - IV. Claim 65 is drawn to a usage protection of distributed files, classified in class 705 subclass 51.

Inventions I - IV are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed in invention I does not require the particulars of the subcombination as claimed in inventions II - IV such as a searching method (II), a digest (III), or utilizing E-mail (IV).

The Examiner notes that is would be a burden to search multiple inventions given their separate status in the art as noted above.

The requirement is deemed proper and therefore made FINAL.

Via paper filed on September 5, 2007 a provisional election was made without traverse to prosecute the of Invention I, claims 49-53, 55-60, 64 and 66-87. Affirmation of this election must be made by applicant in replying to this Office Action. Claims 54, 61-63 and 65 are withdrawn from further consideration by the Examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention, and are hereby cancelled.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Claims 49-53, 55-60, 64, and 66-87 are rejected under 35 U.S.C. 103(a) as being unpatentable over Akiyama et al (US Patent 5,805,699) over Cooper et al. (US Patent 5,563,946).

Claim 49

Akiyama et al. discloses a method for sharing data with one or more recipients, the method comprising:

creating and storing a bundle containing information about the selection of data in a location accessible by a bundle server; associating bundle identification information with the bundle; creating a token representing the bundle, the token including the bundle identification information; (Column 3, lines 41-50).

providing the token to a recipient; establishing communication between the recipient and the bundle server: receiving a request for the bundle from the recipient, the request comprising, at least in part, the bundle identification information from the token; and providing a copy of the bundle to the recipient having the token; (Column 4, lines 4-24).

Akiyama et al. does not explicitly disclose identifying a selection of data to be shared. Cooper et al. discloses identifying a selection of data to be shared (Figure 8). It would be obvious to one having ordinary skill in the art at the time of the invention to combine Akiyama et al.'s method with Cooper et al.'s teaching in order to allow related software products to be purchased and licensed together.

Akiyama does not specifically disclose "wherein the bundle identification information comprises: a bundle identifier comprising a value generated randomly within a range of one million or more possible values; a bundle store identifier comprising a value generated randomly within a range of one million or more possible values; and an encrypted bundle name, corresponding to a bundle name associated with the bundle, the encrypted bundle name generated using the bundle store private key."

Official Notice is taken that "a bundle identifier comprising a value generated randomly within a range of one million or more possible values; a bundle store identifier comprising a value generated randomly within a range of one million or more possible values; and an encrypted bundle name, corresponding to a bundle name associated with the bundle, the encrypted bundle name generated using the bundle store private key" is common and well known in prior art in reference to electronic transactions. It would have been obvious to one having ordinary skill in the art at the

time the invention was made to randomly name an identifier in order to prevent predictive spoofing of the transaction system.

Claims 16, 29, 41 and 43 are in parallel with claim 1 and are rejected for at least the same reasons.

Claim 50

Akiyama et al. discloses a method according to claim 49, wherein creating the bundle comprises storing the bundle in a bundle store, the bundle store associated with a bundle store sharer identity, the bundle store sharer identity being unique among a plurality of bundle store sharer identities corresponding to a plurality of bundle stores accessible to the bundle server, the bundle store containing one or more bundles, corresponding to a sharer, the sharer having a sharer identity, matching the bundle store sharer identity (Column 4, lines 4-23).

Claim 51

Akiyama et al. discloses a method according to claim 50, wherein the bundle store is associated with a bundle store key pair generated by an asymmetric encryption system, the key pair including a bundle store public key and a bundle store private key and wherein creating the token comprises including the bundle store public key in the token (Figure 6).

Claim 56

Akiyama et al. discloses a method according to claim 69.

Akiyama does not specifically disclose "incrementing the retrieval count each time a copy off the bundle is provided to a recipient."

Official Notice is taken that "incrementing the retrieval count each time a copy of the bundle is provided to a recipient" is common and well known in prior art in reference to electronic transactions. It would have been obvious to one having ordinary skill in the art at the time the invention was made to increment a copy count in order to ensure that a user's license count has not been exceeded.

Claim 59

Akiyama et al. discloses a method according to claim 69.

Akiyama does not specifically disclose "obtaining a current date, and, communicating with the bundle server only if the expiry date is later than the current date."

Official Notice is taken that "obtaining a current date, and, communicating with the bundle server only if the expiry date is later than the current date" is common and well known in prior art in reference to electronic transactions. It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize a date in order to ensure that the client has a valid license.

Claim 67

Akiyama et al. discloses a method according to claim 66, comprising delivering said bundle when said testing determines that said communication includes said bundler identifier (Column 3, lines 41-65).

Claim 68

Akiyama et al. discloses a method according to claim 67, wherein said receiving is from said recipient computer system and said delivering is to said recipient computer system (Figure 4).

Claim 69

Akiyama et al. discloses a method according to claim 68, wherein said bundle server comprises another computer system separate from said sharer computer system and said recipient computer system, said bundle server includes said bundle store, and said creating further comprises sending said files and/or folders to said bundle Server (Figure 4).

Claim 70

Akiyama et al. discloses a method according to claim 69.

Akiyama does not specifically disclose "providing said token as an attachment to an e-mail communication."

Official Notice is taken that "providing said token as an attachment to an e-mail communication" is common and well known in prior art in reference to electronic transactions. It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize email to send a token because this is an inexpensive and reliable manner to deliver information.

Claim 71

Akiyama et al. discloses a method according to claim 66, wherein said bundle server comprises another computer system separate from said sharer computer system and said recipient computer system, said bundle server includes said bundle store, and said creating further comprises sending said files and/or folders to said bundle server (Figure 4).

Claim 72

Akiyama et al. discloses a method according to claim 66, further comprising maintaining a record of contents of said delivered bundle (Column 3, lines 41-65).

Claim 73

Akiyama et al. discloses a method according to claim 66, further comprising maintaining a copy of said bundle following said delivering (Column 3, lines 41-65).

Claim 74

Akiyama et al. discloses a method according to claim 66, wherein said generating further comprises deriving contextual information about said selection of files and adding said contextual information to said token (Column 4, lines 25-42).

Claim 75

Akiyama et al. discloses a method according to claim 74, wherein said contextual information includes a digest of said bundle (Column 4, lines 25-42).

Claim 76

Akiyama et al. discloses a method according to claim 69.

Akiyama does not specifically disclose "following said generating of said token and prior to said sending of said token, allowing the sharer to alter said bundle in said bundle store."

Official Notice is taken that "following said generating of said token and prior to said sending of said token, allowing the sharer to alter said bundle in said bundle store" is common and well known in prior art in reference to electronic transactions. It would have been obvious to one having ordinary skill in the art at the time the invention was made to alter a bundle prior to shipping in order to allow a consumer to change or update an order.

Claim 77

Akiyama et al. discloses a method according to claim 66, further comprising sending said token to a plurality of additional recipient computer systems, repeating said receiving, testing, and delivering at least once (Column 4, lines 4-23).

Claims 78-82

Akiyama et al. discloses a method according to claim 66.

Official Notice is taken that "maintaining a ratio of a number of the possible values to a number of bundles in the bundle store to be at least 10^20: 1" etc... is common and well known in prior art in reference to databases. It would have been obvious to one having ordinary skill in the art at the time the invention was made that a value would have a high ratio of values v/s possible values in order to populate a database without danger of key duplication. A database that use a license number 20 or 15 digits in length as a key would easily maintain this ratio, also a large license would be nearly impossible to "guess" (i.e. brute force crack) and would therefore meet the limitations of claim 12 as well.

Claim 83

Akiyama et al. discloses a method according to claim 66, wherein said bundle store is associated with a bundle store key pair generated by an asymmetric encryption system, said key pair including a bundle store public key and a bundle store private key, and wherein said generating further comprises including said bundle store public key in said token (Figure 6).

Claim 84

Akiyama et al. discloses a method according to claim 83, receiving one or more communications at said bundle server, said communications encrypted with said bundle store public key; and sending one or more other communications from the bundle server, said communications encrypted with said bundle store private key (Figure 6).

Claim 85

Akiyama et al. discloses a method according to claim 83, wherein said token includes an encrypted bundle name, corresponding to a bundle name associated with the bundle, the encrypted bundle name generated using the bundle store private key (Figure 6).

Claim 86

Akiyama et al. discloses a method according to claim 66 further comprising:

receiving a pass-phrase from a user of said sharer computer system: and prior to said sending, encrypting said token wherein said token can be decrypted with use of said pass-phrase (Figure 6).

Claim 87

Akiyama et al. discloses a method according to claim 66 further comprising:

creating a bundle key; encrypting at least a part of said bundle using said bundle key; and, storing said bundle key in said token (Figure 6).

Response to Arguments

Applicant's arguments with respect to pending claims have been considered but are moot in view of the new ground(s) of rejection.

APPLICANTS' COMMENTS RELATING TO THE OFFICE ACTION

Elections/Restrictions

Applicants affirm the election made in the paper filed on September 5, 2007 to prosecute the invention of I, claims 49-53, 55-60, 64, and 66-87.

Claim Rejections – 35 USC 103

According to the present invention, there are provided methods and systems for sharing selections of electronic files and/or folders which are suitable for use in contexts where security, privacy and convenience are all important. According to the invention as exemplified by claim 49, there is provided a method for sharing data with one or more recipients, the method comprising: identifying a selection of data to be

shared; creating and storing a bundle containing information about the selection of data in a location accessible by a bundle server; associating bundle identification information with the bundle; creating a token representing the bundle, the token including the bundle identification information; providing the token to a recipient; establishing communication between the recipient and the bundle server; receiving a request for the bundle from the recipient, the request comprising, at least in part, the bundle identification information from the token; and providing a copy of the bundle to the recipient having the token; wherein the bundle identification information comprises: a bundle identifier comprising a value generated randomly within a range of one million or more possible values; a bundle store identifier comprising a value generated randomly within a range of one million or more possible values; and an encrypted bundle name, corresponding to a bundle name associated with the bundle, the encrypted bundle name generated using the bundle store private key. The present invention provides secure and private means of sharing data without compromising convenience and resource utilization.

The cited references clearly do not make obvious the present invention. Akiyama discloses providing a content identifier freely to anybody that wants to access the associated content. (Col. 4, lines 8-32). Access to the content is controlled by a purchased license that is generated from the content identifier and a user system storage identifier and a secret certificate. The license is validated for use at a target system by regenerating the license on the target system and comparing it with the purchased one to ensure that the target system is in fact the one that was licensed. The claimed invention teaches away from this scheme. The security of the claimed invention is based upon the difficulty that an intruder would have in finding any bundle, let alone a specific bundle. The range of possible bundle identifiers is vast compared to the number of identifiers that are actually used. The rate of guesses can be controlled so that the probable time to find any bundle is large. The intended users for sharing access to a bundle in the claimed invention are provided a token including the bundle identifier that can readily access it. The token may be shared with others so that others may share access. Whereas the claimed bundle store is accessible to the bundle server and need not be accessible to the recipient computer, Akiyama, in contrast, teaches that the master storage medium is a CD-ROM or other form of storage that is readily accessible to the recipient computer. Whereas the claimed token includes the bundle identifier and information specific to a recipient computer system so that the product information may

only accessed by the specific recipient, Akiyama teaches that the product signature is derived from the product identifier and information specific to a recipient so that the product information can only be accessed by the specific recipient. In the claimed invention, the token is provided to the recipient, separate from the bundle. In contrast, Akiyama discloses the recipient reading the identifier from the master storage media. In the claimed invention, the bundle server provides the copy of the bundle to the recipient. In contrast, Akiyama discloses the recipient receiving the master storage medium by shipment from the software provider's factory.

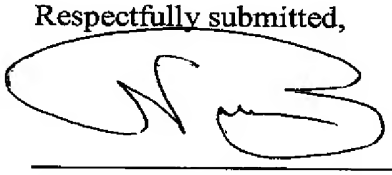
Cooper is equally inapposite as a reference. Cooper similarly discloses the use of encrypted access to content. In particular, Cooper discloses online selection of items to be delivered to an end user. The user is provided with temporary access to the content by means of a temporary key. The key is for a specific user/system (Col. 2, Lines 27-53 and Col. 3, Lines 15-18). Thus, Cooper teaches selecting by the recipient desiring access not the originator intending to share, as in the claimed invention. It is submitted that the claimed invention is clearly nonobvious over the cited references.

Applicant challenges the Examiner's Official Notice on page 5 of the Office Action. It is considered that the quoted section of the claim is not common knowledge and well known in the prior art and the examiner is required to cite support for such assertion.

The arguments presented above are equally applicable to the other claims and will not be repeated. It is submitted that the claims are clearly allowable over the references of record.

In view of the foregoing, it is believed none of the references, taken singly or in combination, disclose the claimed invention. Accordingly, this application is believed to be in condition for allowance, the notice of which is respectfully requested.

Respectfully submitted,



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